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STATE FOR G/TIP, G, INL, DRL, PRM, IWI, EUR/PGI, EUR/UBI
JUSTICE FOR T. MARCH BELL
DHS FOR OIA, SAC/HOUSTON
HHS FOR PEDRO MORENO

SIPDIS

E.O. 12958: N/A

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SUBJECT: AMSTERDAM MOVES TO CLEAN UP PROSTITUTION SECTOR

11. Summary. On December 1, 2006, the Amsterdam city council decided to cancel licenses for 110 of the 350 prostitution windows in Amsterdam's Red Light district. The windows, which are operated by a small number of individuals who together held 33 licenses to operate them, are scheduled to be closed by the end of the year. The action was taken on the basis of information from background checks conducted on the operators when they applied to renew their licenses. The windows could be reopened if they are sold to other operators who can pass the background checks. End Summary.

12. Amsterdam city government's "Van Traa" team, a task force responsible for combating organized crime in the city, told us of their intention to close down more than 100 prostitution windows during a July meeting. Shortly thereafter, the Amsterdam City Council announced that the city would use the license application and renewal process to carefully screen the operators of regulated sex businesses, such as brothels and prostitution windows. The new procedures were made possible by the 2003 Public Administration Integrity Act (BIBOB), which authorized municipal governments to check the criminal records of license applicants before deciding whether to grant them a license. BIBOB has become an increasingly popular tool for Amsterdam and other municipalities to crack down on organized crime.

13. Previously used only to check the background of new license applicants, Amsterdam began utilizing BIBOB background checks this spring for license renewals. The "Van Traa" team noted that through this intensified screening Amsterdam expects to reduce criminality, including drug crime, money laundering and human trafficking in the city. The screening process covers licenses to operate hotels, restaurants and bars in addition to licenses to operate brothels. An Amsterdam government contact told us that every license in Amsterdam's prostitution sector would be subject to BIBOB screening by the end of 2007. She said that the Amsterdam city council is scheduled in the near future to discuss a proposal to establish a licensing system for escort services, which would subject the currently unregulated sector to intensified screening requirements.

14. The National BIBOB Bureau, part of the Justice Ministry, conducts the actual background investigations on license applicants. According to the City Council press announcement, a negative finding by the BIBOB bureau means

there is a serious risk of the license being used for criminal activities. A negative finding is sufficient to deny an application to obtain or renew a license, and to force a business to close.

15. Operators whose licenses have been cancelled have been notified that they must shut down by the end of the year. However, closure may be suspended if the license holders appeal the decision in administrative court. The appeal process may take several months, during which the establishment may continue to operate. Together with the BIBOB bureau, the public prosecutor's office and the police, Amsterdam will carefully screen anyone who seeks to buy the licenses of the windows scheduled to be closed.

16. Amsterdam Mayor Job Cohen told the press that the City Council action was a "frontal attack" on criminal activities in the Red Light district. He stated that, through the BIBOB Act, Amsterdam can finally take adequate action against criminal entrepreneurs.

17. Comment. The "Van Traa" team and other municipal authorities responsible for regulating prostitution have praised the BIBOB law for giving them the power they need to more closely scrutinize sex businesses. There is no indication of human trafficking in any of the windows to be closed, but the willingness to close roughly one-third of the windows in the Red Light district demonstrates Amsterdam's commitment to effectively regulating the sex sector.

Arnall